

Alice Brown  
P.O. Box 436282  
San Ysidro, California 92143

FILED  
2008 AUG -8 PM 4:32  
CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY KM/T DEPUTY

The United States of America

The United States

District Court of the United States

SOUTHERN DISTRICT Of California

Alice Brown

Plaintiff

v.

Eric Smith, Individually; and,  
Sharon Chambers, Individually; and,  
Terese Bryers, Individually; and,  
John Does 1-10.

*Michael Decker, INDIVIDUALLY,*  
Defendants

'08 CV 1454 H AJB

Case \_\_\_\_\_

#### Complaint – Bivens Action

Comes now, Alice Brown ("Brown") with this Compliant in the form of a Bivens Action.

#### Trial by Jury

Brown does demand a Trial by Jury of ~~her~~ peers and also as held inviolate in Civil Rule

38.

#### I. Jurisdiction

This Court has cognizance arising under Article III in all Cases in Law and Equity exercising the judicial Power of the United States under the Authority of the United States. The court also under the CODE has jurisdiction under 28 U.S.C. § 1331 for all Civil Actions.

CR

Cognizance also arises under the constitutional violations of which there are not specific statutory remedies using the Bivens Action.

## II. Parties

- a. Brown is an American citizen, citizen of the United States of America and a Natural Born Native and citizen of the **STATE OF CALIFORNIA**. (see U.S. Government Style Manual 5.23), domiciled in the territorial boundaries of California, being one of the several States. Brown is a citizen of one of the several States currently being a citizen of California.
- b. Eric Smith ("Smith") is a citizen of the United States and resident of Alaska.
- c. Sharon Chambers ("Chambers") is a citizen of the United States and resident of Alaska.
- d. Terese Bryers ("Bryers") is a citizen of the United States and resident of Alaska.
- e. "Defendants" means all of the parties of Smith, Chambers and Bryers.

## Facts

- a. Jessica **Lani** Cinnamon Brown ("Brown's daughter") was born on March 22, 2002 in Anchorage, Alaska to Brown. Brown's daughter was immediately seized with no probable cause from Brown. Brown's daughter was returned and seized again on or about May 1<sup>st</sup>, 2002. Brown's daughter was returned and again seized in Hawaii or about February 1<sup>st</sup>, 2003. Brown's daughter was adopted out and Brown's parental rights were terminated on or about August 8, 2008.
- b. Smith denied Brown the right to be present or to have input into the final termination of Brown's daughter in Alaska.

## First Cause of Action

Brown incorporates all of the preceding facts and law in this instant Case and alleges that Defendants under the agreement provided false information to unlawfully take Brown's daughter from her possession as a Mother.

**Second Cause of Action**

Brown repleads all of the facts and allegations of the First Cause of Action and alleges that all of the Defendants are bound by cooperative agreements for money to perform certain functions with the money being rewards from the Federal Government.

**Third Cause of Action**

Brown repleads all of the facts and allegations of the Second Cause of Action and alleges that DEFENDANTS did all have a pecuniary interest in this instant case.

**Fourth Cause of Action**

Brown repleads all of the facts and allegations of the Third Cause of Action and alleges that Brown was knowingly and intentionally denied Due Process of Law by all of the Defendants at every point in this instant Case.

**Fifth Cause of Action**

Brown repleads all of the facts and allegations of the Fourth Cause of Action and alleges that the none of the Defendants are public Officers of any of the several States possessing any sovereignty of any of the several States.

**Sixth Cause of Action**

Brown repleads all of the facts and allegations of the Fifth Cause of Action and alleges that the Defendants are bound by the rules and regulations published in the Federal Register.

**Seventh Cause of Action**

Brown repleads all of the facts and allegations of the Sixth Cause of Action and alleges the Defendants are all merely employees with ministerial duties.

***Therefore***, Brown in damages demands \$6,000,000.00 for the unlawfully and illegal kidnappings and adopting out Brown's Daughter terminating Brown's parental rights.

***And further***, Brown in other damages including punitive damages for the mental and pain anguish of kidnapping and adopting out Brown's Daughter and terminating Brown's parental rights demands \$6,000,000.00..

***And further***, any other damages that this Court or Jury should choose to award.

AND DEMANDS REINSTATEMENT My Hand,  
OF Brown's PARENTAL RIGHTS.

*Alice Brown*  
8/8/08

**Certificate of Service**

I certify that this document was either mailed via USPS first class mail or served personally to the following parties, to wit:

Eric Smith  
435 South Denali  
Palmer, Alaska 99645  
907-746-8181 (home number unlisted)

Sharon Chambers  
695 East Parks Highway, Unit 3  
Wasilla, Alaska 99654  
907-352-8934

Teresa Bryers *e, Michael Decker*  
695 East Parks Highway, Unit 3  
Wasilla, Alaska 99654  
907-352-8934

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Brown, Alice H.

(b) County of Residence of First Listed Plaintiff SAN DIEGO  
(EXCEPT IN U.S. PLAINTIFF CASES)P.O. BOX 436282  
SAN YSIDRO, CA 92143

(c) Attorney's (Firm Name, Address, and Telephone Number)

PRO SE

'08 CV 1454 H AJB UNK

## DEFENDANTS

ERIC SMITH, SHARON CHAMBERS, TERESA BREVES, Michael Decker JOHN DOES, 1200 AUGUSTA APARTMENT BOROUGH

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

BY *bvj*

DEPUTY

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |   |   |
|---|---|---|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State | PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State        | PTF <input type="checkbox"/> 5 DEF <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 Foreign Nation   | PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine Liability	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health		<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 690 Other		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 810 Other Statutory Actions
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 850 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> REAL PROPERTY	<input type="checkbox"/> CIVIL RIGHTS	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 791 Emp. Ret. Inc. Security Act		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 861 HIA (1395ft)		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 862 Black Lung (923)		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 863 DIWC/DIWV (405(g))		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 864 SSID Title XVI		
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 865 RSI (405(g))		
	<input checked="" type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> IMMIGRATION		
		<input type="checkbox"/> 462 Naturalization Application		
		<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee		
		<input type="checkbox"/> 465 Other Immigration Actions		

*BIVENS ACTION*

V. ORIGIN	(Place an "X" in One Box Only)					
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
	<i>28 U.S.C. BIVENS ACTION</i>

VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMANDS	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	(See instructions):	JUDGE	DOCKET NUMBER
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DATE *8/8/08* SIGNATURE OF ATTORNEY OF RECORD *Alice Brown (pro se)*

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_